

Express Mail No. EL964154287US
Attorney Docket: DakoCyto Destiny-PreTreat

UNITED STATES PATENT AND
TRADEMARK OFFICE

In Re the Application of: John Favuzzi, Benno Guggenheimer, Jeff Rau, Marc Key,
Robert Lathrop, Rosanne Welcher

Serial Number:

Filed:

For: Method and Apparatus for Pretreatment of Tissue Slides

Assignee: Dako Cytomation Denmark A/S

DECLARATION FOR PATENT APPLICATION

This Declaration is made by John Favuzzi, Benno Guggenheimer, Jeff Rau, Marc Key, Robert Lathrop and Rosanne Welcher.

I, John Favuzzi, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is: 5086 San Bernardo Place, Santa Barbara, CA 93111 USA.

I, Benno Guggenheimer, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is: 608 Park Street, Fort Collins, CO 80521 USA.

I, Jeff Rau, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is: 2960 West Stuart Street, Apt. #A-303, Fort Collins, CO 80526 USA.

I, Marc Key, hereby declare:

- I am a citizen of the United States of America and my residence and mailing address

is: 290 Saddle Lane, Ojai, CA 93023 USA.

I, Robert Lathrop, hereby declare:

- I am citizen of the United States of America and my residence and mailing address is:
1667 Glenrock Court, San Jose, CA 95124 USA.

I, Rosanne Welcher, hereby declare:

- I am citizen of the United States of America and my residence and mailing address is:
1175 Church Street, Ventura, CA 93001 USA.

We, John Favuzzi, Benno Guggenheimer, Jeff Rau, Marc Key, Robert Lathrop and Rosanne Welcher, each hereby declare:

We are the original, first, and joint inventors of the subject matter which is claimed, described and for which a patent is sought on the invention now entitled "Method and Apparatus for Pretreatment of Tissue Slides" the specification of which has been provided to us at or prior to the time of signing this declaration. We have reviewed and understand the contents of this specification as above entitled, including any claims.

We also believe that we are the original, first, and joint inventors of the subject matter:

- as originally entitled "Sample Processing Systems and Methods of Sample Processing" the specification of which was filed as United States Provisional Application Number 60/435,601 on December 20, 2002.

We hereby claim the benefit under Title 35, United States Code §119 of US Provisional Application 60/435,601, filed December 20, 2002; there are no foreign applications having a filing date before that of the application(s) on which priority is claimed.

We hereby declare that the specification and disclosure herein submitted are intended to include disclosure or claims directed to, individually or in combination: embodiments of the invention which may encompass a device, apparatus, method, process, or business method; embodiments of the invention which may encompass permutations or combinations of any aspects of the invention; any aspect of the invention conceived or developed as separate inventions; and any aspect of the invention independent of any initial context considered as preferred embodiments. We also authorize and support this application for patent protection in the United States, and for similar protection in foreign countries, each to be sought to the extent or breadth any owner desires or deems appropriate. We acknowledge that each of the attorneys and the firm filing this application is/are attorneys for the assignee, DakoCytomation Denmark A/S, only.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby grant the firm of Santangelo Law Offices, P.C., the power to insert on this Declaration or any other document any further identification which may be necessary or desirable in order to indicate filing information or to comply with the rules of the United States Patent Office or any foreign patent office for recordation of this document, including, but not limited to, inserting the application number, the execution date, mailing information, or the filing date of the above-identified United States Patent Application based upon the Invention.

Date: _____

John Favuzzi

UNITED STATES OF AMERICA)
STATE OF _____)ss.
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me in the County of _____, State of _____,
United States of America, by John Favuzzi, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
_____.

Notary Public
My Commission Expires: _____

Date: _____

Benno Guggenheimer

UNITED STATES OF AMERICA)
STATE OF COLORADO)ss.
COUNTY OF LARIMER)

SUBSCRIBED AND SWORN to before me in the County of Larimer, State of Colorado, United States of America, by Benno Guggenheimer, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of Colorado.

Notary Public
My Commission Expires: _____

Date: _____

Jeff Rau

UNITED STATES OF AMERICA)
STATE OF COLORADO)ss.
COUNTY OF LARIMER)

SUBSCRIBED AND SWORN to before me in the County of Larimer, State of Colorado, United States of America, by Jeff Rau, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of Colorado.

Notary Public

My Commission Expires: _____

Date: 05 DEC 2003

Marc Key
Marc Key

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF Santa Barbara)

SUBSCRIBED AND SWORN to before me in the County of Santa Barbara State of California, United States of America, by Marc Key, this 5 day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Theresa Ann Hayley
Notary Public
My Commission Expires: Oct 25, 2006



Date: _____

Robert Lathrop

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me in the County of _____, State of California, United States of America, by Robert Lathrop, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Notary Public

My Commission Expires: _____

Date: December 5, 2003

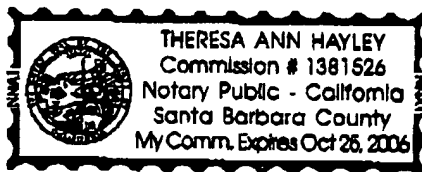
Rosanne Welcher
Rosanne Welcher

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF Santa Barbara)

SUBSCRIBED AND SWORN to before me in the County of Santa Barbara State of California, United States of America, by Rosanne Welcher, this 5 day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Theresa Hayley
Notary Public
My Commission Expires: Oct. 25, 2006



Express Mail No. EL964154287US
Attorney Docket: DakoCyto Destiny-PreTreat

UNITED STATES PATENT AND
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In Re the Application of: John Favuzzi, Benno Guggenheimer, Jeff Rau, Marc Key,
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Serial Number:

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Assignee: Dako Cytomation Denmark A/S

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I, Marc Key, hereby declare:

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is: 290 Saddle Lane, Ojai, CA 93023 USA.

I, Robert Lathrop, hereby declare:

- I am citizen of the United States of America and my residence and mailing address is: 1667 Glenrock Court, San Jose, CA 95124 USA.

I, Rosanne Welcher, hereby declare:

- I am citizen of the United States of America and my residence and mailing address is: 1175 Church Street, Ventura, CA 93001 USA.

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Date: _____

John Favuzzi

UNITED STATES OF AMERICA
STATE OF _____
COUNTY OF _____

)
)sa.
)

SUBSCRIBED AND SWORN to before me in the County of _____, State of _____,
United States of America, by John Favuzzi, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
_____.

Notary Public

My Commission Expires: _____

Date: _____

Benno Guggenheimer

UNITED STATES OF AMERICA
STATE OF COLORADO
COUNTY OF LARIMER

)
)ss.
)

SUBSCRIBED AND SWORN to before me in the County of Larimer, State of Colorado, United States of America, by Benno Guggenheimer, this _____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of Colorado.

Notary Public

My Commission Expires: _____

Date: _____

Jeff Rau

UNITED STATES OF AMERICA
STATE OF COLORADO
COUNTY OF LARIMER

)
)ss.
)

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WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of Colorado.

Notary Public

My Commission Expires: _____

Date: _____

Marc Key

UNITED STATES OF AMERICA
STATE OF CALIFORNIA
COUNTY OF _____

)
)ss.
)

SUBSCRIBED AND SWORN to before me in the County of _____, State of California, United States of America, by Marc Key, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Notary Public

My Commission Expires: _____

Date: 12/4/2003

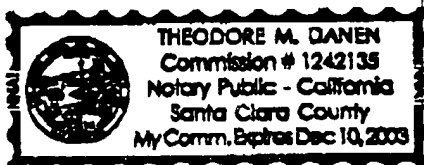
Robert Lathrop
Robert Lathrop

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF SANTA CLARA)

SUBSCRIBED AND SWORN to before me in the County of SANTA CLARA State of California, United States of America, by Robert Lathrop, this 4 day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Theodore M. Danen
Notary Public
My Commission Expires: 12-10-03



Date: _____

Rosanne Welcher

UNITED STATES OF AMERICA
STATE OF CALIFORNIA
COUNTY OF _____

)
)ss.
)

SUBSCRIBED AND SWORN to before me in the County of _____, State of California, United States of America, by Rosanne Welcher, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Notary Public

My Commission Expires: _____

UNITED STATES PATENT AND
TRADEMARK OFFICE

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Serial Number:

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Assignee: Dako Cytomation Denmark A/S

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Date: 4 Dec 03

John Favuzzi
John Favuzzi

UNITED STATES OF AMERICA)
STATE OF Colorado)ss.
COUNTY OF Larimer)

SUBSCRIBED AND SWORN to before me in the County of Larimer State of Colorado
United States of America, by John Favuzzi, this 4th day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of
Colorado.

Donna L. Weston
Notary Public My Commission Expires
My Commission Expires: 6/21/2005

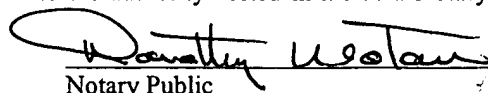
Date: 4-DEC-03

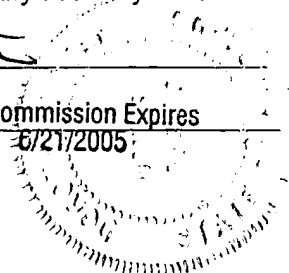

Benno Guggenheimer

UNITED STATES OF AMERICA)
STATE OF COLORADO)ss.
COUNTY OF LARIMER)


SUBSCRIBED AND SWORN to before me in the County of Larimer, State of Colorado, United States of America, by Benno Guggenheimer, this 4th day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of Colorado.


Notary Public
My Commission Expires: My Commission Expires
6/21/2005




Jeff Rau


Notary Public My Commission Expires
My Commission Expires: 6/21/2005

Date: _____

Marc Key

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me in the County of _____, State of California, United States of America, by Marc Key, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Notary Public
My Commission Expires: _____

Date: _____

Robert Lathrop

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me in the County of _____, State of California, United States of America, by Robert Lathrop, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Notary Public
My Commission Expires: _____

Date: _____

Rosanne Welcher

UNITED STATES OF AMERICA)
STATE OF CALIFORNIA)ss.
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me in the County of _____, State of California, United States of America, by Rosanne Welcher, this ____ day of December, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of California.

Notary Public
My Commission Expires: _____

UNITED STATES PATENT AND
TRADEMARK OFFICE

In Re the Application of: John Favuzzi, Benno Guggenheimer, Jeff Rau, Marc Key,
Robert Lathrop, Rosanne Welcher

Serial Number:

Filed:

For: Method and Apparatus for Pretreatment of Tissue Slides

Assignee: DakoCytomation Denmark A/S

POWER OF ATTORNEY

I, Jes Ostergaard, President and CEO, DakoCytomation Denmark A/S, hereby appoint Santangelo Law Offices, P.C., whose mailing address is 125 South Howes, Third Floor, Fort Collins, Colorado 80521, including Luke Santangelo, whose registration number before the United States Patent and Trademark Office is 31,997, Alfred K. Wiedmann Jr., whose registration number before the United States Patent and Trademark Office is 48,033, and Nicole A. Ressue, whose registration number before the United States Patent and Trademark Office is 48,665, as DakoCytomation Denmark A/S attorneys to prosecute this application entitled "Method and Apparatus for Pretreatment of Tissue Slides" and to transact all business in the Patent Office connected therewith. The undersigned grants the firm of Santangelo Law Offices, P.C., the power to insert on any document filed in this matter any further identification which may be necessary or desirable in order to indicate filing information or to comply with the rules of the United States Patent Office or any foreign patent office for recordation of this document, including, but not limited to, inserting the application number, the execution date, mailing information, or the filing date of the above-identified United States Patent Application based upon the Invention. The undersigned also acknowledges that the attorneys appointed are attorneys for the assignee DakoCytomation Denmark A/S, only.

Dated this 4 day of December, 2003.

By:


Jes Ostergaard
Title: President / CEO